

**TOWN OF LOS GATOS  
CALIFORNIA  
TOWN COUNCIL/PARKING AUTHORITY  
JOINT REDEVELOPMENT AGENCY  
FEBRUARY 17, 2004 / MINUTES**

Los Gatos Civic Center  
110 E. Main Street  
Los Gatos, CA 95030

TIME	ITEM	ACTION ON ITEM
7:00 PM	<b>TOWN COUNCIL</b>	The Town Council/Parking Authority/Redevelopment Agency of the Town of Los Gatos met in the Council Chambers of the Town Hall, 110 East Main Street, at 7:00 p.m., Tuesday, February 17, 2004, <b>in a joint regular session.</b>
7:01 PM	<b>ROLL CALL</b>	Present: Sandy Decker, Diane McNutt, Joe Pirzynski, Mike Wasserman and Mayor/Chairman Glickman. Absent: None
7:02 PM	<b>PLEDGE OF ALLEGIANCE</b>	The audience was invited to participate in the Pledge of Allegiance.
7:03 PM	<b>CLOSED SESSION</b>	Town Attorney, Orry Korb, reported that Council had met in Closed Session prior to this evening's meeting pursuant to Government Code Section 54957.6 regarding Labor Negotiations. Town Negotiator: Gary Rogers, Human Resources Director. Employee Organizations: Town Employees' Association (TEA); AFSCME; Confidential Unit; Management; Town Manager; and Police Officers Assoc. Council gave direction to Town's negotiator and there was no further reportable action taken.  Also reported that Council met pursuant to Government Code Section 54956.9[a] regarding Conference with Legal Counsel concerning Existing Litigation with Nancy Castro and Providence Greco-Gelinske; Santa Clara County Superior Court #CV812335. Council gave direction to Town Attorney and there was no further reportable action taken.

TIME	ITEM	ACTION ON ITEM
7:05 PM	<b>PRESENTATION</b>	<b>PRESENTATION</b>
7:05 PM	<b>LEAGUE OF CALIFORNIA CITIES</b>	Rebecca Elliott, representing, the League of California Cities, spoke of the Local Taxpayers and Public Safety Protection Act of 2004. This measure would require a majority vote of the people before the State Government would be allowed to take local government revenues which are used to provide local services to their communities.
7:10 PM	<b>CONSENT ITEMS</b>	<b>CONSENT ITEMS</b>
	<b>ITEM 1</b> <b>SCHEDULE OF PUBLIC HEARINGS</b>	<b>Motion by Mr. Wasserman</b> , seconded by Mrs. Decker, that Council accept and file informational report regarding currently scheduled public hearings. Carried unanimously. (01.28)
	<b>ITEM 2</b> <b>PAYROLL RATIFICATION FOR JANUARY AND FEBRUARY 2004</b>	<b>Motion by Mr. Wasserman</b> , seconded by Mrs. Decker, that Council ratify the check register for payroll of January 18, 2004 through January 31, 2004 paid on February 6, 2004 in the amount of \$531,967.85. Carried unanimously. (02.V)
	<b>ITEM 3</b> <b>ACCOUNTS PAYABLE RATIFICATION FOR JANUARY</b>	<b>Motion by Mr. Wasserman</b> , seconded by Mrs. Decker, that Council ratify the check register for accounts payable invoices paid on January 30, 2004 and February 6, 2004 in the amount of \$744,714.91. Carried unanimously. (03.V)
	<b>ITEM 4</b> <b>TRAFFIC CALMING PLACER OAKS NEIGHBORHOOD</b>	<b>Motion by Mr. Wasserman</b> , seconded by Mrs. Decker, that Council approve permanent traffic calming measures for the Highland Oaks-Chirco-Placer Oaks area neighborhood. Carried unanimously. (04.41)
	<b>ITEM 5</b> <b>SANTA CLARA COUNTY TRANSPORTATION AUTHORITY REPRESENTATIVE MARC JENSEN</b>  <b>Resolution 2004-014</b>	<b>Motion by Mr. Wasserman</b> , seconded by Mrs. Decker, that Council adopt Resolution 2004-014 entitled, <u><b>RESOLUTION OF TOWN OF LOS GATOS APPOINTING MARC JENSEN, TRANSPORTATION AND PARKING COMMISSIONER, AS REPRESENTATIVE TO THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY COUNTYWIDE BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE (BPAC).</b></u> Carried unanimously. (05.41)

TIME	ITEM	ACTION ON ITEM
7:10 PM	<b>ITEM 6 CURB, GUTTER AND SIDEWALK REPAIR</b>	<b><u>CONSENT ITEMS CONTINUED</u></b>  This item has been pulled and will be heard after Item 13.
	<b>ITEM 7 PROJECT 0415 TREE PRUNING AND REMOVAL "TRUGREEN"</b>  <b>Resolution 2004-015</b>	<b>Motion by Mr. Wasserman</b> , seconded by Mrs. Decker, that Council adopt Resolution 2004-015 entitled, <b><u>RESOLUTION OF TOWN OF LOS GATOS AUTHORIZING THE AWARD AND EXECUTION OF CONTRACT WITH TRUGREEN LANDCARE FOR PROJECT 0415 - TREE PRUNING AND REMOVAL</u></b> , in the amount of \$10,952.00 and authorize staff to execute change orders to the contract up to an amount of \$4,000. Carried unanimously. (07.24)
	<b>ITEM 8 PROJECT 0409B ADA UPGRADES PARKING LOTS 1, 2, 3, AND 6</b>  <b>Resolution 2004-016</b>	<b>Motion by Mr. Wasserman</b> , seconded by Mrs. Decker, that Council adopt Resolution 2004-016 entitled, <b><u>RESOLUTION OF TOWN OF LOS GATOS AWARDED A CONSTRUCTION CONTRACT WITH DURAN &amp; VENABLES INC. FOR PROJECT 0409B "ADA" IMPROVEMENTS TO PARKING LOTS 1, 2, 3, AND 6.</u></b> and awarding contract in the amount of \$42,750.00, and authorizing staff to issue change orders to the contract up to an amount of \$10,000. Carried unanimously. (08.24)
	<b>ITEM 9 LOCAL TAXPAYERS AND PUBLIC SAFETY ACT OF 2004</b> <b>Resolution 2004-017</b>	<b>Motion by Mr. Wasserman</b> , seconded by Mrs. Decker, that Council adopt Resolution 2004-017 entitled, <b><u>RESOLUTION OF TOWN OF LOS GATOS SUPPORTING THE LOCAL TAXPAYERS AND PUBLIC SAFETY PROTECTION ACT OF 2004.</u></b> Carried unanimously. (09.28)
	<b>ITEM 10 15220 KENNEDY ROAD SOLAR PANELS</b>  <b>Resolution 2004-018</b>	<b>Motion by Mr. Wasserman</b> , seconded by Mrs. Decker, that Council adopt Resolution 2004-018 entitled, <b><u>RESOLUTION OF TOWN OF LOS GATOS DENYING AN APPEAL OF A DECISION FROM THE PLANNING COMMISSION TO APPROVE A GRADING PERMIT FOR LANDSCAPING IMPROVEMENTS AND TO INSTALL SOLAR PANELS ON PROPERTY ZONED HR-1/2. AS-01-98. ND-04-03. 15220 KENNEDY ROAD.</u></b> Carried unanimously. (10.15)
	<b>COUNCIL/AGENCY</b>	<b>TOWN COUNCIL/REDEVELOPMENT AGENCY</b>
	<b>ITEM 11 MINUTES FEBRUARY 2, 2004</b>	<b>Motion by Mr. Wasserman</b> , seconded by Mrs. Decker, that the Town Council/Redevelopment Agency approve the Minutes of the Joint Regular Meeting February 2, 2004 as submitted. Carried unanimously. (11.V)

TIME	ITEM	ACTION ON ITEM
	<b>REDEVELOPMENT</b>	<b>REDEVELOPMENT AGENCY AGENDA</b>
	<b>ITEM 12 ACCOUNTS PAYABLE RATIFICATION</b>	<b>Motion by Mr. Wasserman</b> , seconded by Mrs. Decker, that the Agency ratify the check register for accounts payable invoices paid on January 30, 2004 and February 6, 2004 in the amount of \$2,352.55. Carried unanimously. (12.V)
7:10	<b>COMMUNICATIONS</b>	<b>VERBAL COMMUNICATIONS</b>
7:10	<b>SPEAKER</b>	<b>Ray Davis</b> explained why he did not pledge allegiance while attending Council meetings and then spoke of safe routes to schools for children and noted the Los Gatos Boulevard and Shannon Road pedestrian crossing. He also asked that Council establish a Park Dedication Fund with Development Impact Fees from new construction in Town.
7:10	<b>SPEAKER</b>	<b>Chuck Novillo</b> spoke of the fence line on his property and his difficulty working with the City of Monte Sereno regarding his property line and water runoff from his neighbor's pool.
	<b>PUBLIC HEARING</b>	<b>PUBLIC HEARING</b>
7:20 PM	<b>ITEM 13 BLOSSOM HILL MANOR #11 ANNEXATION</b>	<b>BLOSSOM HILL MANOR #11/ANNEXATION</b> Mayor Glickman announced that this was the time and place duly noticed for holding a public hearing to consider protests concerning the reorganization of inhabited territory to the Town of Los Gatos know as Blossom Hill Manor #11. (13.26)
	<b>STAFF REPORT</b>	<b>John Curtis</b> , Director of Parks and Public Works, reported on the procedures that will be followed in proceeding with process for annexation of the Blossom Hill Manor #11 annexation. He spoke of the technical aspects of allowing for residents and registered voters of this particular territory to voice their protest or support for the annexation. He noted that the opportunity for filing those opinions would be closed at the end of this hearing this evening. After analyzing the submittals and weighting them according to Government Code, the staff will return to Council on March 15, 2004 with a report concerning the next steps and appropriate actions for proceeding with the annexation process.

TIME	ITEM	ACTION ON ITEM
7:23	<b>ITEM 13 SPEAKERS</b>	<b>SPEAKERS ON ITEM 13 – BLOSSOM HILL MANOR #11</b>
7:23	<b>SPEAKER</b>	<b>Ron Ritchie</b> spoke in favor of annexation and of why it's important to him. Police responsiveness and the traffic calming program are essential services in his opinion. He noted the fewer patrol vehicles within the county and slower response time due to greater distances that had to be covered. There are also two extremely long roads in the manor that invite speeding and to which the county does not respond. The Town would be able to address this situation and offer traffic calming speed humps.
7:25	“	<b>Carol Gruetzner</b> spoke in strong support for annexation and expressed a desire to participate in the Town's affairs and become a resident of Los Gatos being able to vote for council members, receive police protection, participate in the political voice of the community and serve on the boards and commissions.
7:28	“	<b>Elenor Garmeister</b> supports the annexation. Property taxes will remain the same; The Town will not put in sidewalks unless the residents choose to pay for the sidewalks themselves; Street lights will not be installed by the Town; The same fire department serves the Blossom Hill Manor residents as serves the Town; Los Gatos schools will still be the ones that her children will attend; There will be a reduction of \$60 in property tax for County Library fees; The garbage fees will be less because the Town has negotiated for reduced rates with the waste management company that also serves the County.
7:32	“	<b>Robin Wu</b> spoke in support of the annexation. She looks forward to being able to participate in Town government and community issues.
7:33	“	<b>Michael Sleeter</b> supports the annexation both in spirit and financially. He is one of a group of homeowners in this proposal who have placed funds in an account so as to move forward with the proposed action. He is concerned about safety issues in his neighborhood and believes that police response and traffic calming methods will be a great help to this neighborhood.

TIME	ITEM	ACTION ON ITEM
	<b>ITEM 13 SPEAKERS</b>	<b>SPEAKERS ON ITEM 13 - BLOSSOM HILL MANOR CONT.</b>
7:36	“	<b>Larry Gerston</b> supports the annexation and the feeling of community that action would generate. He knows that the group of residents that are working on this project believe that they can offer a lot to Los Gatos if they can become a part of the community. and he also believes that the Town would appreciate having them as residents and participants in their local government.
7:37	<b>ITEM 13 CLOSED PUBLIC HEARING</b>	Mayor Glickman closed the public hearing.
7:38	<b>MOTION ITEM 13 BLOSSOM HILL MANOR #11 ANNEXATION</b>	<b>Motion by Mr. Pirzynski</b> , seconded by Mr. Wasserman, that Council set Monday, March 15, 2004 as the date to adopt resolution making a finding of the value of protests filed and not withdrawn, and taking either an action to annex without election or an action to confirm by an election. Carried unanimously.
	<b>CONSENT ITEM 6</b>	<b><u>CONSENT ITEM CONTINUED</u></b> <b>Item 6 was pulled from the consent calendar</b>
7:39	<b>ITEM 6  SPEAKER  PROJECT 0349 CURB, GUTTER SIDEWALK REPAIRS</b>	<b>PROJECT 0349 - CURB, GUTTERS &amp; SIDEWALK REPAIRS</b>  <b>Ray Davis</b> spoke of the Sidewalk on Cherry Blossom Lane which runs along side of Blossom Hill Road and the Jewish Community Center. He noted the raised concrete and spoke of the need to repair that section of sidewalk as soon as possible. He also asked that the trees be trimmed so that the street lights can shine through to the sidewalk.
7:43	<b>MOTION ITEM 6  PROJECT 0349 CURB, GUTTER &amp; SIDEWALK REPAIR  Resolution 2004-019</b>	<b>Motion by Mr. Pirzynski</b> , seconded by Mrs. Decker, that Council adopt Resolution 2004-019 entitled, <b><u>RESOLUTION OF TOWN OF LOS GATOS APPROVING THE PLANS AND SPECIFICATIONS FOR CAPITAL PROJECT 0349 - CURB, GUTTER AND SIDEWALK REPAIR AND REPLACEMENT FOR THE FISCAL YEAR 2003-2004 AND AUTHORIZING STAFF TO ADVERTISE THE PROJECT FOR BIDS.</u></b> Carried unanimously. (06.15)

TIME	ITEM	ACTION ON ITEM
	<b>OTHER BUSINESS</b>	<b>OTHER BUSINESS</b>
	<b>ITEM 14</b>	<b>ADMINISTRATIVE CITATION AND ADMINISTRATIVE REMEDIES PROCESS</b>
7:44	<b>ITEM 14</b>	Mayor Glickman noted that this was the time and place so noticed to introduce ordinance establishing an administrative citation and administrative remedies process.
	<b>STAFF INTRODUCTION</b>	Town Attorney Korb introduced the subject matter and answered questions for Council.
	<b>COUNCIL CONSENSUS</b>	Council supported the concepts of cost recovery; enforcement of our existing Town Code; and preserving a sense of impartiality during an appeal process.
8:08	<b>TITLE READ</b>	The Town Clerk read the Title of the Proposed Ordinance.
8:09	<b>READING WAIVED</b>	<b>Motion by Ms McNutt</b> , seconded by Mr. Pirzynski, to waive the reading of the Proposed Ordinance. Carried unanimously.
8:10	<b>ORDINANCE INTRODUCTION</b>	<b>Motion by Mr. Glickman</b> , seconded by Ms McNutt, that Council introduce Proposed Ordinance entitled, <b><u>ORDINANCE AMENDING CHAPTER 1 OF THE TOWN OF LOS GATOS MUNICIPAL CODE AND ADDING ARTICLE II TO CHAPTER 1 OF THE TOWN OF LOS GATOS TOWN CODE ESTABLISHING AN ADMINISTRATIVE CITATION AND ADMINISTRATIVE REMEDIES PROCESS.</u></b> Carried unanimously.
8:11	<b>ITEM 15</b>	<b>PROPOSITIONS 57 AND 58 MARCH 2004 BALLOT</b>
8:15	<b>ITEM 15  COUNCIL DISCUSSION</b>	Mayor Glickman asked Council for some comments on this report. Council believed that the report was very complete and thorough but did not want to take a public position on either one of the propositions this evening. Council supported the first issue on the agenda tonight which was the Local Taxpayers and Public Safety Protection Act of 2004, and by supporting it they took a step to safe guard the Town's own resources. Council encouraged the populace to study the issues involved with Propositions 57 & 58 and make their own decisions. Council's roll tonight is to raise consciousness but not necessarily to take a Council position.

TIME	ITEM	ACTION ON ITEM
8:18	<b>ITEM 16</b>  <b>COUNCIL MATTERS</b>	<p><b>Joe Pirzynski</b> reminded Council of the Cities Association's annual joint meeting with the Manager's Association this Thursday evening in Mountain View.</p> <p><b>Sandy Decker</b> thanked the community for supporting the Touch My HeART event that was held on Valentine's Day. She noted that \$14,000 was raised that evening.</p> <p><b>Diane McNutt</b> spoke of an ethics and public officials workshop held at Santa Clara University which she had attended. She will be sharing a document she acquired there with the Council's Policy Committee for review.</p> <p><b>Steve Glickman</b> spoke of the President's Day celebration held at Forbes Mill and during which Mr. Glickman portrayed President Lincoln.</p>
8:23	<b>ITEM 17</b> <b>MANAGER MATTERS</b>	<b>There were no Manager Matters discussed this evening.</b>
8:24	<b>ADJOURNMENT</b>	<b>Mayor Glickman</b> adjourned this evening's meeting at 08:24 PM

**ATTEST:**

Marian V. Cosgrove  
Town Clerk  
Secretary to the Redevelopment Agency